

UNITED STATES DISTRICT COURT

DEC 16 2011

for the

District of Maryland

AT BALTIMORE
CLERK, U.S. DISTRICT COURT
DISTRICT OF MARYLAND

BY

DEPUTY

United States of America

v.

Case No.

11-5343 SKG

David Charles Richards

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 2006 to present in the county of Anne Arundel in the
District of Maryland, the defendant(s) violated:*Code Section*
18 USC §2261A*Offense Description*
Stalking

This criminal complaint is based on these facts:

See affidavit which is attached hereto and incorporated herein by reference

x Continued on the attached sheet.


Complainant's signatureJohn Sheridan, FBI
Printed name and title

Sworn to before me and signed in my presence.

Date: Dec 15, 2011
Judge's signatureCity and state: Baltimore, MarylandSusan K. Gauvey, US Magistrate Judge
Printed name and title

11-5343526

Affidavit in Support of Criminal Complaint and Arrest Warrant for DAVID CHARLES RICHARDS

I, John M. Sheridan (also referred to throughout as "your affiant"), being duly sworn, depose and state as follows in support of a criminal complaint against and arrest warrant for:

DAVID CHARLES RICHARDS ("RICHARDS")

DOB: **-*-1962

SSN: ***-*-1032

AFFIANT BACKGROUND

1. Your affiant has been employed as a Special Agent of the FBI since 1997 and is currently assigned to the Annapolis RA within the Baltimore Division of the FBI, 200 Harry S. Truman Parkway, Ste. 350, Annapolis, Maryland 21401. Since joining the FBI, I have investigated violations of federal law concerning white collar crime, violent crime, cyber crime, public corruption, and international terrorism. During the course of these investigations, I have participated in the execution of numerous arrest warrants and search warrants related to these types of crimes.
2. I have been personally involved in the investigation of this matter. This affidavit is based upon my conversations with other law enforcement officers, my interviews of witnesses, the victim, and my examination of documents and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all of the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

PROBABLE CAUSE

3. From in or about December, 2006, to the present, in the District of Maryland and elsewhere, RICHARDS used various facilities of interstate commerce, including the Internet, the telephone, electronic mail, and U.S. mail to engage in a course of conduct that caused substantial emotional

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distress to a person or placed that person in reasonable fear of the death of, or serious bodily injury to, that person, a member of the person's immediate family, or a spouse or intimate partner and RICHARDS did so with the intent to kill, injure, harass, or place under surveillance with intent to kill, injure, harass, or intimidate, or cause emotional distress to a person in another State, in violation of Title 18, United States Code, Section 2261A(2).

4. Based on my conversations with a woman now 39 years of age (referred to herein as "SZ"), I learned the following, among other things:
 - a. In or about 1987, SZ met RICHARDS at a concert in Washington, D.C. The two began dating soon thereafter. At the time of their dating, SZ was fifteen years of age, while RICHARDS was twenty five years of age. The relationship continued for a period of four years. However, SZ stated the relationship was troubled and at times physically abusive. During the course of the relationship there were periods of separation. During one such period, RICHARDS pushed the head of SZ into a wall at her residence in Fairfax, Virginia. After RICHARDS left the residence to return to Maryland, SZ contacted the Fairfax County Police Department. Soon thereafter, RICHARDS contacted SZ on the telephone and threatened to kill SZ. During the conversation, SZ calmed RICHARDS enough to invite him back to her residence in Fairfax, Virginia. RICHARDS returned to the residence of SZ, whereupon he was arrested by police.
 - b. In 1991, SZ and RICHARDS were married and took up residence in Anne Arundel County, Maryland. SZ recalled an evening within ten weeks of their July 2, 1991 marriage wherein RICHARDS did not return home. The next morning, RICHARDS returned and told SZ he had been arrested by Anne Arundel County Police for assault. A search of police report records indicates RICHARDS was arrested for 4th degree assault by Anne Arundel County Police on September 4, 1991. After learning of the arrest, SZ told

RICHARDS she wanted him to leave the residence and she was going to seek a divorce from RICHARDS. SZ stated RICHARDS left the residence within two weeks. SZ further stated throughout the legal process of separation and their final divorce decree signed in April, 1993, RICHARDS offered no contest to the proceedings.

- c. Sometime in 1993 or 1994, SZ stated she encountered RICHARDS at a local State Employee Credit Union. SZ stated the encounter was brief, consisting of small talk. SZ had no personal, telephonic, mail or electronic mail contact with RICHARDS for the next eleven to twelve years.
- d. On June 12, 2006, RICHARDS telephonically contacted SZ's sister and left a message.
- e. On June 16, 2006, SZ's sister called RICHARDS back. During the course of the conversation, RICHARDS stated he wanted to hurt SZ when he encountered SZ outside the State Employee Credit Union. RICHARDS further stated he wanted SZ to call him July 2, 2006 (their wedding anniversary) and he would wait 24 hours for the call. On July 2, 2006, RICHARDS called SZ's sister, stating if SZ did not call him it would be the beginning of a "long process." RICHARDS called SZ's sister a second time and left a voicemail message. On the message, RICHARDS states he would stay connected to SZ and he will never stop as, "he has reclaimed his wife as of today." SZ's sister stated she was in fear of her safety.
- f. On July 10, 2006, SZ filed for a protective order in Anne Arundel County District Court. The order was served on RICHARDS and became effective for a period of one year from the date July 31, 2006.
- g. On December 11, 2006, SZ discovered a website had been created in the name of SZ. The site contained images representative of SZ personal business and included a countdown clock to the expiration of SZ's latest protective order.

- h. On January 5, 2007, SZ again viewed the website and discovered additional threatening material contained in the website. SZ stated postings on the website included the following statements:
 - i. "I'm a lot closer than you think"
 - ii. "34/19/44 Now is the time to reflect back and offer thoughtful verbal responsibility for all the actions of the past...because the past is coming back for you."
 - iii. "I've been waiting for you to have a good life so I can ruin it."
- i. On February 13, 2007, SZ reviewed RICHARDS' own website, www.david-richards.us/ Images on the website included the following:
 - i. A cowboy looking out over a ghost town. On the building facades were the names of SZ and her child. A caption below the image reads, "Just the beginning...level two begins during Sextils and will relocate to her subdivision even larger than a kingdom."
- j. Throughout February, March and April, 2007, on both www.david-richards.us and the site created by RICHARDS in the name of SZ, a countdown clock to the expiration of the served protective order continues as well as a countdown clock to July 2 (the anniversary date of their marriage in 1991).
- k. In April 2007, SZ created an anonymous email account and emailed RICHARDS to request the end of RICHARDS' harassment, threats and graphic website content postings, writing "What do you want? I'm an adult now, not the child you knew. Please leave me and my family alone."
- l. On April 27, 2007, RICHARDS responded from email account, davidrichardsx@yahoo.com. Within the email, RICHARDS wrote the following:

- i. "I have come back on our 20th anniversary. This is a vow I made to myself 15 years ago."
 - ii. "You broke my life. Now your going to fix it."
 - iii. "Please, Please Stop with 'he's going to hurt me' nonsense. I can assure you if my hands ever touch you again in my lifetime we're going to have some seriously intense sex and that's a fact. Remember, I'm reclaiming my wife."
- m. On August 4, 2007, RICHARDS sent an email to SZ from richardsx@cox.net. The email was sent to the business email address of SZ. Some of the content of the email reads:
- i. "Do you think time has healed anything? Are you fucking stupid? [Name redacted] fucked the wrong man's wife. He's going to find that out in his lifetime." (This portion of the email made reference to the first name of SZ's most recent ex-husband.)
 - ii. "Oh and [first name of SZ] dear..You just stay quiet...Say nothing...THAT WILL WORK VERY VERY VERY VERY VERY VERY VERY VERY WELL...Goodbye for now. See you in the future. Promise."
- n. On August 6, 2007, RICHARDS began a link from the original website. The linked site is titled "The Wife Reclaim Center (WRC)." The following are passages from the website:
- i. "The purpose of the WRC is to expose who my ex-wife really is which is a skank, liar, STD, abortion, multi-divorced and smelly vagina coward who doesn't believe in showing accountability for her actions."
 - ii. "As for me, I'm done with my life journey. I started a checklist in 2005 of all the things I needed to do before my death and now I have all of them completed except for the last item. And now...for the closing act..."

- iii. Descriptions of the replacement of the labia, inner vaginal wall, tongue, nipple and inner mouth due to past sexual activity with other men is described.
- o. On August 6, 2007, the victim filed for another protective order, which was signed and served upon RICHARDS. The order extended for a period of one year.
- p. On March 31, 2009, RICHARDS left a voicemail with SZ. On the voicemail, RICHARDS states he came to Maryland in May, 2008 and drove by what he believed to be the home of SZ. RICHARDS states when he arrived he observed a for sale sign at the residence. In fact, SZ had moved to another location in Anne Arundel County. RICHARDS stated on the message he discovered the current address of SZ approximately five months ago. RICHARDS continues, stating "I don't know what will happen 10 years from now. How I'll feel. I won't try and predict what will happen there if I feel the way I do now about the situation. Who knows will happen."
- q. On December 26, 2009, RICHARDS left a voicemail with SZ. On the voicemail, RICHARDS states he sent a package to SZ with the torn up pieces of protective orders served upon him used as packing material. (SZ had received such a package on December 24.) RICHARDS continues, "Now you don't want to talk to anybody. Well, we'll see how that works out for you in the long run." RICHARDS also states, "Well, we'll see how that goes. You've got a 50-50 shot, basically." Finally, RICHARDS states "I called your work over at the [name of business] and talked to that lady. She told me that day you were not there. Of course, I knew you were at home. I know where you live." Concluding, "Basically you've got a 50-50 shot and you know exactly what I'm talking about."
- r. On December 29, 2009, the victim discovered recordings posted on the website that RICHARDS created in her name. The victim downloaded nine broadcasts from the website in which RICHARDS conducts interviews of the victim (with himself playing both

parts). Included in the broadcasts are depictions of RICHARDS at the gravesite of the victim. RICHARDS speaks of lowering the victim into the ground and states "Let's all bow our heads and just pray this bitch goes to hell. Amen."

- s. Around January 2010, the victim obtained another restraining order directing RICHARDS to take the websites down. The victim reports that the websites changed and were redirected to other domains but were not taken down.
- t. On January 7, 2010, RICHARDS left a voicemail with SZ, stating "I own all your domains..." and "I'm not enjoying attacking you like I've been attacking you for three years."
- u. On January 9, 2010, RICHARDS left a voicemail with SZ, stating, "You saw my behavior that week (referring to his arrest in VA in 1991) and you were worried and you got fearful." "I've had probably thousands of dreams about you over the years and they are very upsetting" and "I don't think I'll live very long, for various reasons. Will I be as angry as I've been 10 years from now? If I am then that will be a problem 10 years from now because when people get close to the end of their life they start making decisions about what to do about things." During the course of the message, RICHARDS stated that he followed SZ to her apartment. RICHARDS continues, "When they look at my actions, all they see is a disgruntled ex-husband who was cheated on who got retaliation through a website" and "I need closure [SZ]. And if you're not gonna give me closure with a phone call this will be my closure. I wish you were more mature and could have given me better closure, but this is what we'll have to live with for our lives. Goodbye [SZ's first name]."
- v. On January 13, 2010, RICHARDS left a voicemail with SZ, stating, "It's been three years with the web thing and I'm really just kind of bored of it. I had the three sites up. You

didn't even know about them." The voicemail continues, "Working on one website for so long was just...it got kind of old. I mean I really struggled to get creative." RICHARDS continues, "You can't bargain with a whore." Additionally, he states, "In the future, for the rest of my life if I have something to you I'll just pick up the phone and call you." Finally, RICHARDS states, "If I get to the older part of my life, whether I live to fifty-five or sixty-five or whatever the hell it's gonna be and I want to come after your ass, I'll come after your ass."

- w. On September 11, 2011, RICHARDS wrote on another website created in SZ's name, "[SZ] has proven herself over and over again to be a liar, cheater, and a coward. She has no idea what taking responsibility for her actions means. So I'm teaching her...all the way to graduation day."
- x. On November 4, 2011, RICHARDS wrote on the same website created in SZ's name, "My schedule has you being addressed after I reach all my life goals. I made that decision the day I heard the answering machine that you were fucking someone. Well, I'm almost done you fucking piece of garbage...and when that time comes...YOU WILL MEET ME AGAIN FACE TO FACE. AND THAT DAY—YOU WILL SHOW ACCOUNTABILITY FOR YOUR ACTIONS BECAUSE IM GOING TO FORCE YOU PHYSICALLY TO DO IT."
- y. On November 25, 2011, RICHARDS wrote on the same website, "Why [SZ's first name's] Days Are Numbered. [SZ's first name's] days are numbered because...I don't lie. I promise you bitch."

REQUEST FOR ARREST WARRANT

- 5. Based upon the above information, the affiant requests that an arrest warrant be issued for the individual identified as DAVID CHARLES RICHARDS, for violations of 18 U.S.C. 2261A, as


RICHARDS has engaged in a campaign of harassment, intimidation, and threats against SZ that amounts to "stalking."

REQUEST FOR SEALING

6. Because this matter related to an ongoing criminal investigation involving an individual not currently in custody who your affiant believes could pose additional danger to SZ and members of her family if he learns of the warrant before his arrest, your affiant respectfully requests that this affidavit, the criminal complaint, and the arrest warrant be filed under seal until after the arrest of RICHARDS. Upon arrest, the United States Attorney's Office will move to unseal the affidavit, complaint, and warrant.

I declare, after being duly sworn, that the foregoing is true and correct to the best of my knowledge.

December 15 2011


John M. Sheridan
Special Agent
FBI

Subscribed and sworn before me this 15 day of December, 2011.


United States Magistrate Judge
District of Maryland